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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,579	10/17/2000	Michiaki Yoneda	202704US6	3450

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EXAMINER	
BATES, KEVIN T	

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/690,579	YONEDA, MICHIAKI
	Examiner	Art Unit
	Kevin Bates	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 August 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to a communication made on August 5, 2004.

Claims 1-39 are pending in this application.

Response to Amendment

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 31 – 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iida (5900608) in view of Simpson (6453300).

Regarding claims 31, 33, and 34, Iida discloses an information processing device (Column 9, lines 23 – 30) connected to other information processing devices (Column 9, lines 35 – 44) via a network (Column 9, lines 32 – 34), said information processing device comprising: first obtaining means for obtaining GUI data for specifying label printing conditions for applying to a recording medium from said other information processing devices via said network (Column 13, lines 26 – 33); display control means for controlling a display of a GUI based on the GUI data obtained by said first obtaining means (Column 13, lines 28 – 29); second obtaining means for obtaining said label printing conditions the GUI regarding which the display thereof is controlled by said display control means (Column 13, lines 45 – 50), said label printing conditions including information on printing on a label one or more of a title piece number, an artist

name, and playing time (Column 10, lines 44 – 59);and requesting means for requesting printing of said label, to said other information processing devices via said network, under said label printing conditions obtained by said second obtaining means (Column 14, lines 49 – 53); but Iida does not explicitly indicate that the label printing conditions are customizable enough to print things other than the title piece number, an artist name, and playing time. Simpson teaches a system which creates customized cd's online and allows the user to personalize the label/jewel case that included with the CD to allow the user to customize the default information taken from the contents of the CD (Column 9, lines 29 – 31) and it allows the users to change the default information and add personalized messages and text (Column 9, lines 15 – 35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Simpson's customizing options in a CD creation and shipment process on Iida's system in order to more efficiently tailor the design and contents of the label for the individual creating it or receiving it (Column 1, lines 41 – 47).

Regarding claims 35, 37, and 38, Iida discloses an information processing device (Column 9, lines 35 – 44) connected to other information processing devices (Column 9, lines 23 – 30) via a network (Column 9, lines 32 – 34), said information processing device comprising: transmitting means for transmitting data of GUI specifying printing conditions for a label for applying to a recording medium, to said other information processing devices via said network (Column 13, lines 26 – 33); obtaining means for obtaining said printing conditions through said GUI from said other information processing devices via said network (Column 13, lines 45 – 50), said label printing

conditions including information on printing on a label one or more of a title piece number, an artist name, and playing time (Column 10, lines 44 – 59); and printing means for printing said label under said printing conditions obtained by said obtaining means, in the event that there is a request for printing said label, from said other information processing devices via said network (Column 14, lines 49 – 53) but Iida does not explicitly indicate that the label printing conditions are customizable enough to print things other than the title piece number, an artist name, and playing time. Simpson teaches a system which creates customized cd's online and allows the user to personalize the label/jewel case that included with the CD to allow the user to customize the default information taken from the contents of the CD (Column 9, lines 29 – 31) and it allows the users to change the default information and add personalized messages and text (Column 9, lines 15 – 35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Simpson's customizing options in a CD creation and shipment process on Iida's system in order to more efficiently tailor the design and contents of the label for the individual creating it or receiving it (Column 1, lines 41 – 47).

Regarding claims 32 and 36, the combination of Iida and Simpson discloses an information processing device according to Claim 31, wherein said recording medium is a CD-R, MD, or semiconductor memory (Column 1, lines 14 – 17).

Regarding claim 39, Iida discloses an information processing system wherein a first information processing device (Column 9, lines 23 – 30) and a second information processing device (Column 9, lines 35 – 44) are connected via a network (Column 9,

lines 32 – 34); wherein said first information processing device comprises: first obtaining means for obtaining GUI data for specifying label printing conditions for applying to a recording medium from said second information processing device via said network (Column 13, lines 26 – 33); display control means for controlling the display of GUI based on the GUI data obtained by said first obtaining means (Column 13, lines 28 – 29); second obtaining means for obtaining said label printing conditions through the GUI regarding which the display thereof is controlled by said display control means (Column 13, lines 45 – 50), said label printing conditions including information on printing on a label one or more of a title piece number, an artist name, and playing time (Column 10, lines 44 – 59); and requesting means for requesting printing of said label, to said second information processing device via said network, under said label printing conditions obtained by said second obtaining means (Column 14, lines 49 – 53); and wherein said second information processing device comprises: transmitting means for transmitting data of GUI specifying label printing conditions for applying to a recording medium, to said first information processing device via said network (Column 13, lines 26 – 33); third obtaining means for obtaining conditions input based on said GUI from said first information processing device via said network (Column 13, lines 45 – 50); and printing means for printing said label under said printing conditions obtained by said third obtaining means, in the event that there is a request for printing said label, from said first information processing device via said network (Column 14, lines 49 – 53) but lida does not explicitly indicate that the label printing conditions are customizable enough to print things other than the title piece number, an artist name, and playing

time. Simpson teaches a system which creates customized cd's online and allows the user to personalize the label/jewel case that included with the CD to allow the user to customize the default information taken from the contents of the CD (Column 9, lines 29 – 31) and it allows the users to change the default information and add personalized messages and text (Column 9, lines 15 – 35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Simpson's customizing options in a CD creation and shipment process on Iida's system in order to more efficiently tailor the design and contents of the label for the individual creating it or receiving it (Column 1, lines 41 – 47).

Claims 1, 3-7, 9, 11-16, 18-22, and 24-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iida in view of Keller (6172948).

Regarding claims 1, 5, and 6, Iida discloses an information processing device (Column 9, lines 23 - 30) connected to other information processing devices (Column 9, lines 35 - 44) via a network (Column 9, lines 32 – 34), said information processing device comprising: information specifying means for specifying information of which providing is to be received (Column 10, lines 43 – 52); notifying means for notifying said other information processing devices via said network of said information specified by said information specifying means (Column 14, lines 24 – 33); and requesting means for requesting said other information processing devices to record said information specified by said information specifying means to a recording medium (Column 14, lines 35 – 47), but Iida does not explicitly indicate an obtaining means for obtaining capacity information relating to the capacity of said information notified by said notifying means

from said other information processing devices via said network and display control means for controlling display of said capacity information obtained by said obtaining means. Keller teaches an obtaining means for obtaining capacity information relating to the capacity of said information notified by said notifying means from a database provided in said other information processing devices via said network (Column 12, lines 64 – 67; Column 15, lines 52 – 57) and display control means for controlling display of said capacity information obtained by said obtaining means (Column 15, lines 52 – 57; Column 16, lines 1 – 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Keller's teaching of notifying and displaying the capacity information of the selected information in Iida's information system in order for the system to know the size of specified information in relation to the available size on the recordable medium (Column 15, line 52 – Column 16, line 5).

Regarding claim 3, Iida combined with Keller's teaching discloses said information of which providing is received from said other information processing devices contains music information (Iida, Column 2, lines 9 – 14); and wherein said capacity information contains playing time of the information (Keller, Column 16, line 1 – 2).

Regarding claims 7, 13, and 14, Iida combined with Keller's teaching discloses an information processing device (Iida, Column 9, lines 35 - 44) connected to other information processing devices (Iida, Column 9, lines 23 - 30) via a network (Iida, Column 9, lines 32 – 34), said information processing device comprising: first obtaining means for obtaining specifying information which specifies provided information, from

said other information processing devices via said network (Iida, Column 10, lines 43 – 52); second obtaining means for obtaining capacity information relating to the capacity of said provided information corresponding to said specifying information obtained by said first obtaining means from a database (Keller, Column 12, lines 64 – 67; Column 15, lines 52 – 57); notifying means for notifying said other information processing devices via said network of said capacity information obtained by said second obtaining means (Keller, Column 15, lines 52 – 57; Column 16, lines 1 – 5); third obtaining means for obtaining said provided information corresponding to said specifying information obtained by said first obtaining means (Iida, Column 14, lines 40 – 45); and recording means for recording said provided information obtained by said third obtaining means to a recording medium (Iida, Column 14, lines 45 – 47).

Regarding claim 9, Iida combined with Keller's teaching discloses that the computing means for computing the total of the capacity of said provided information corresponding to said specifying information obtained by said first obtaining means (Keller, Column 16, lines 1 – 5); wherein said notifying means notifies said other information processing devices of the total of the capacity of said provided information, computed by said computing means (Keller, Column 16, lines 1 – 5).

Regarding claim 11, Iida combined with Keller's teaching discloses that the provided information to be provided to said other information processing devices contains music information (Iida, Column 2, lines 9 – 14); and wherein said capacity information contains playing time of the information (Keller, Column 16, lines 1 – 5).

Regarding claim 15, Iida combined with Keller's teaching discloses an information providing system wherein a first information processing device (Iida, Column 9, lines 23 - 30) and a second information processing device (Iida, Column 9, lines 35 – 44) are mutually connected via a network (Iida, Column 9, lines 32 – 34); wherein said first information processing device comprises: information specifying means for specifying provided information (Iida, Column 10, lines 43 – 52); first notifying means for notifying said second information processing device via said network of said provided information specified by said information specifying means (Iida, Column 14, lines 24 – 33); first obtaining means for obtaining capacity information relating to the capacity of said provided information notified by said first notifying means from a database provide in said second information processing device via said network (Keller, Column 12, lines 64 – 67; Column 15, lines 52 – 57); display control means for controlling display of said capacity information obtained by said first obtaining means (Column 15, lines 52 – 57; Column 16, lines 1 – 5); and requesting means for requesting said second information processing device to record said provided information specified by said information specifying means to a recording medium (Iida, Column 14, lines 35 – 47); and wherein said second information processing device comprises: second obtaining means for obtaining specifying information which specifies said provided information (Iida, Column 10, lines 43 – 52), from said first information processing device via said network third obtaining means for obtaining capacity information relating to the capacity of said provided information corresponding to said specifying information obtained by said second obtaining means from a database (Keller, Column 12, lines 64 – 67; Column

15, lines 52 – 57); second notifying means for notifying said first information processing device via said network of said capacity information obtained by said third obtaining means (Keller, Column 15, lines 52 – 57; Column 16, lines 1 – 5); fourth obtaining means for obtaining said provided information corresponding to said specifying information obtained by said second obtaining means (Iida, Column 14, lines 40 – 45); and recording means for recording said provided information obtained by said fourth obtaining means to said recording medium (Iida, Column 14, lines 45 – 47).

Regarding claims 16, 20, and 21, Iida combined with Keller's teaching discloses an information processing device (Iida, Column 9, lines 23 - 30) connected to other information processing devices (Iida, Column 9, lines 35 – 44) via a network (Iida, Column 9, lines 32 – 34), said information processing device comprising: transmitting means for transmitting specifying information for specifying information for which notification of capacity is desired, to said other information processing devices via said network (Keller, Column 15, lines 52 – 57); obtaining means for obtaining capacity information relating to the capacity of said information corresponding to said specifying information transmitted by said transmitting means, from a database provide in said other information processing devices via said network (Keller, Column 12, lines 64 – 67; Column 15, lines 52 – 57); and display control means for controlling the display of said capacity information obtained by said obtaining means (Keller, Column 15, lines 52 – 57; Column 16, lines 1 – 5).

Regarding claim 4 and 18, Iida discloses that the recording medium is a CD-R, MD, or semiconductor memory (Column 1, lines 14 – 17).

Regarding claim 19, Iida combined with Keller's teaching discloses that the information specified by said specifying information contains music information (Iida, Column 2, lines 9 – 14); and wherein said capacity information contains playing time of said music (Keller, Column 16, lines 1 – 5).

Regarding claim 22, 28, and 29 Iida combined with Keller's teaching discloses an information processing device (Iida, Column 9, lines 35 – 44) connected to other information processing devices (Iida, Column 9, lines 23 - 30) via a network (Iida, Column 9, lines 32 – 34), said information processing device comprising: first obtaining means for obtaining specifying information for specifying the information regarding which notification of capacity is desired, from said other information processing devices via said network (Keller, Column 15, lines 52 – 57); second obtaining means for obtaining capacity information relating to the capacity of said information corresponding to said specifying information obtained by said first obtaining means from a database (Keller, Column 12, lines 64 – 67; Column 15, lines 52 – 57); and notifying means for notifying said capacity information obtained by said second obtaining means to said other information processing devices via said network (Keller, Column 15, lines 52 – 57; Column 16, lines 1 – 5).

Regarding claims 12 and 24, Iida discloses that the recording medium is a CD-R, MD, or semiconductor memory (Column 1, lines 14 – 17).

Regarding claim 25, Iida discloses that the comprising computing means for computing the total of the capacity of the information for which notification of capacity is desired corresponding to said specifying information obtained by said first obtaining

means (Column 6, lines 42 – 45), and the remaining time wherein said information for which notification of capacity is desired corresponding to said specifying information obtained by said first obtaining means can be recorded on said recording medium (Column 7, lines 8 – 11); wherein said notifying means notifies the total of the capacity of the information for which notification of capacity is desired which has been computed by said computing means (Column 6, lines 46 – 51), and also the remaining time wherein said information can be recorded on said recording medium, to said other information processing devices (Column 7, line 66 – Column 8, line 3).

Regarding claim 26, Iida combined with Keller's teaching discloses that the comprising computing means for computing the total of the capacity of the information for which notification of capacity is desired corresponding to said specifying information obtained by said first obtaining means (Keller, Column 15, lines 52 – 57); wherein said notifying means also notifies the total of the capacity of the information for which notification of capacity is desired, which has been computed by said computing means, to said other information processing devices (Keller, Column 15, lines 52 – 57; Column 16, lines 1 – 5).

Regarding claim 27, Iida combined with Keller's teaching discloses information of which notification of capacity is desired contains music information (Iida, Column 2, lines 9 – 14); and wherein said capacity information contains playing time of said music (Keller, Column 16, lines 1 – 5).

Regarding claim 30, Iida combined with Keller's teaching discloses an information processing system wherein a first information processing device (Iida,

Column 9, lines 23 – 30) and a second information processing device (Iida, Column 9, lines 35 – 44) are mutually connected via a network (Iida, Column 9, lines 32 – 34); wherein said first information processing device comprises: transmitting means for transmitting specifying information for specifying information for which notification of capacity is desired, to said second information processing device via said network (Keller, Column 15, lines 52 – 57); first obtaining means for obtaining capacity information relating to the capacity of said information corresponding to said specifying information transmitted by said transmitting means, from a database provided in said second information processing device via said network (Keller, Column 12, lines 64 – 67; Column 15, lines 52 – 57); and display control means for controlling the display of said capacity information obtained by said first obtaining means (Keller, Column 15, lines 52 – 57; Column 16, lines 1 – 5); and wherein said second information processing device comprises: second obtaining means for obtaining specifying information for specifying the information regarding which notification of capacity is desired, from said first information processing device via said network (Keller, Column 15, lines 52 – 57); third obtaining means for obtaining capacity information relating to the capacity of said information corresponding to said specifying information obtained by said second obtaining means (Keller, Column 12, lines 64 – 67; Column 15, lines 52 – 57) from said database; and notifying means for notifying said capacity information obtained by said third obtaining means to said first information processing device via said network (Keller, Column 15, lines 52 – 57; Column 16, lines 1 – 5).

Claims 2, 8, 10, 17, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iida in view of Keller as applied to claims 1, 3-7, 9, 11-16, 18-22, and 24-30 above, and further in view of Saeki (6597862).

Regarding claims 2, 8 and 17, Iida combined with Keller's does not explicitly disclose that a recording medium specifying means for specifying said recording medium medium from said other information processing devices via said network. Saeki teaches a recording medium specifying means for specifying said recording medium (Saeki, Column 9, lines 47 – 55) wherein said transmitting means also transmits said recording medium specified by said recording medium specifying means to said other information processing devices (Saeki, Column 9, lines 47 – 55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Saeki's teaching of specifying the desired recording medium in order to be able to manage a group of recording mediums and have device be able to pick and choose among that group which device is the best option for recording (Saeki, Column 2, lines 48 – 61).

Regarding claims 10 and 23, Iida combined with Keller and Saeki discloses that the computing means further computes the remaining time wherein said provided information corresponding to said specifying information obtained by said first obtaining means can be recorded on said recording medium (Saeki, Column 7, lines 8 – 11); and wherein said notifying means also notifies said other information processing devices of the total capacity of said provided information and time capable of recording, computed by said computing means (Saeki, Column 7, line 66 – Column 8, line 3).

Response to Arguments

Applicant's arguments filed May 24, 2004 have been fully considered but they are not persuasive.

Regarding the argument to claim 1, the applicant argues that the teaching, Keller, does not have an obtaining means for obtaining capacity information relating to the capacity of information notified by notifying means from a database provided in other information. The examiner disagrees, in order for Keller to display capacity information to the user (Column 15, lines 52 – 65) about the songs selected, it has to obtain that information from the storage structure (Column 12, line 64 – Column 13, line 1) and send, transmit, inform the displaying control about that information in order for it to be displayed on the display device, thus inherently having to notify the display device about the information obtained from the database.

Applicant's arguments with respect to claims 31-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (703) 605-0633. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB

KB
September 28, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER